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CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
LOS ANGELES

BY _____

UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

THEODORE BAUER,

Defendant.

CR No. 18CR00659-JFW

I N F O R M A T I O N

[18 U.S.C. § 371: Conspiracy to
Commit Bribery]

The United States Attorney charges:

[18 U.S.C. § 371]

A. INTRODUCTORY ALLEGATIONS

At all times relevant to this Information:

1. The United States Department of the Navy ("U.S. Navy") operated the Naval Facilities Engineering Command ("NAVFAC"), Public Works Department ("PWD"), which was responsible for facilities maintenance and management for U.S. Navy and United States Marine Corps installations. On occasion, PWD contracted with private vendors to provide building and infrastructure maintenance for United States Navy facilities.

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DOB

DOB 1203

1 2. The U.S Navy operated Naval Base Ventura County (the "Naval
2 Base"), an installation in Ventura County, within the Central
3 District of California, composed of three facilities: Point Mugu,
4 Port Hueneme, and San Nicolas Island.

5 3. Co-conspirator Public Official A was the Master Scheduler
6 for the PWD at the Naval Base. As Master Scheduler, Public Official
7 A was responsible for approving material purchases, service
8 contracts, vendors with whom PWD contracted, and payments on
9 invoices. Public Official A supervised PWD purchasing agents, also
10 known as buyers or Government Purchase Card ("GPC") holders. GPC
11 holders interacted directly with PWD vendors, placed orders for
12 supplies and services, and paid vendor invoices.

13 4. Defendant THEODORE BAUER ("BAUER") was a Ventura County
14 businessman and president of Gold Coast Supply, Inc. ("GCS"), a
15 California corporation headquartered in Camarillo, California, that
16 serviced both private sector accounts and procurement work for the
17 U.S. Navy.

18 5. On or about July 9, 2009, defendant BAUER incorporated
19 Western Military Supply.com ("WMS"), a California corporation
20 headquartered in Camarillo, California.

21 6. On or about September 13, 2011, Public Official A
22 incorporated Company B, a California corporation headquartered in
23 Oxnard, California.

24 7. On or about November 15, 2011, defendant BAUER incorporated
25 MNC Facility Services, Inc. ("MNC"), a California corporation
26 headquartered in Ventura, California.

27 8. T&A Carpet Cleaning Technology Advance, Inc., also known as
28 T&A Services & Supplies, Inc. ("T&A"), was a California corporation

1 headquartered in Oxnard, California. On December 1, 2013, Public
2 Official A purchased 85 percent of T&A's shares.

3 B. OBJECT OF THE CONSPIRACY

4 9. Beginning in or about 2008, and continuing through at least
5 on or about March 20, 2014, in Ventura County, within the Central
6 District of California, and elsewhere, defendant BAUER, together with
7 co-conspirator Public Official A and others known and unknown,
8 knowingly combined, conspired, and agreed to commit offenses against
9 the United States, namely, to directly and corruptly give, offer, and
10 promise money, to a public official, with intent to: (i) influence
11 official acts; (ii) influence such public official to commit and aid
12 in committing, collude in, and allow, a fraud on the United States;
13 and (iii) induce such public official to do an act and omit to do an
14 act in violation of his official duty, in violation of Title 18,
15 United States Code, Section 201(b)(1).

16 C. MEANS BY WHICH THE OBJECT OF THE CONSPIRACY WAS TO BE
17 ACCOMPLISHED

18 10. The object of the conspiracy was to be accomplished, in
19 substance, as follows:

20 a. Co-conspirator Public Official A would prepare or
21 cause the preparation of purchase orders or work orders to companies
22 controlled by defendant BAUER.

23 b. Defendant BAUER's companies would not supply product
24 or services in response to the purchase orders or work orders but,
25 nevertheless, issue invoices requesting payment for such materials
26 and services.

1 c. Co-conspirator Public Official A would acknowledge
2 that product or services had been supplied and would authorize
3 payment on the invoices.

4 d. Co-conspirator Public Official A would cause GPC
5 holders to issue payments to defendant BAUER's companies, or, in the
6 alternative, provide defendant BAUER with GPC numbers, expiration
7 dates, and credit card verification ("CCV") numbers so that defendant
8 BAUER could implement charges to government financial accounts.

9 e. Upon receipt of government payments, defendant BAUER
10 would, as directed, disburse funds to Public Official A. Prior to
11 2011, defendant BAUER would pay Public Official A his share in cash.
12 Beginning in or about October 2011, defendant BAUER would issue
13 checks on behalf of his companies payable to Company B. Beginning in
14 or about 2014, defendant BAUER issued checks on behalf of his
15 companies payable to either Company B or T&A.

16 f. Co-conspirator Public Official A would transfer funds
17 from Company B or T&A to purchase real estate, make payments on
18 mortgages, purchase vehicles, or make payments to other, third party
19 vendors for the benefit of co-conspirator Public Official A and his
20 family.

21 D. OVERT ACTS

22 11. In furtherance of the conspiracy and to accomplish the
23 object of the conspiracy, on or about the following dates, defendant
24 BAUER and co-conspirator Public Official A committed the following
25 overt acts within the Central District of California, and elsewhere:

26 Overt Act 1: On January 10, 2014, defendant BAUER issued a
27 \$2,620 check on behalf of GCS payable to Company B.
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1 Overt Act 2: On January 15, 2014, co-conspirator Public Official
2 A issued a \$3,195.77 check on behalf of Company B to Bank of America
3 FIA Card Services to pay for "repairs to condo".

4 Overt Act 3: On January 16, 2014, defendant BAUER issued a
5 \$2,400 check on behalf of WMS payable to Company B.

6 Overt Act 4: On January 24, 2014, co-conspirator Public Official
7 A issued a \$1,640 check on behalf of Company B to the Rancho Perilla
8 Master Association, to pay homeowners association fees.

9 Overt Act 5: On January 24, 2014, Public Official A issued a
10 \$710 check on behalf of Company B to the Chico Westwood Condo
11 Association, to pay homeowners association fees.

12 Overt Act 6: On January 30, 2014, defendant BAUER issued a
13 \$2,750 check on behalf of MNC payable to Company B.

14 Overt Act 7: On February 4, 2014, defendant BAUER issued a
15 \$2,600 check on behalf of GCS payable to Company B.

16 Overt Act 8: On February 12, 2014, co-conspirator Public
17 Official A transferred \$5,000 from Company B to his personal checking
18 account ending in 6394.

19 Overt Act 9: On February 28, 2014, co-conspirator Public
20 Official A issued a \$5,600 check on behalf of Company B to the
21 Internal Revenue Service to pay personal federal income taxes for
22 himself and his wife.

23 Overt Act 10: On March 5, 2014, defendant BAUER issued a \$2,125
24 check on behalf of WMS payable to Company B.

25 Overt Act 11: On March 10, 2014, co-conspirator Public Official
26 A issued a \$1,031.66 check on behalf of Company B to make a mortgage
27 payment on his property.
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1 Overt Act 12: On March 10, 2014, co-conspirator Public Official
2 A issued a \$2,647.58 check on behalf of Company B to make a mortgage
3 payment on his property.

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